

to the matter in question as you may think proper, all of which proceedings, together with the plats, descriptions, if any, and documentary, or other evidence made, produced, or taken by you, shall be retained with this Commission, and all other proceedings to our Circuit Court sitting as a Court of Equity, without delay.

Witness the Hon. Madison Nelson, Judge of our said Circuit Court sitting as a Court of Equity, the 7th day of July 1862. ~

Issued 23<sup>rd</sup> day of July 1862. ~

(Signed) P. G. Dugdale Clerk

State of Maryland Frederick County, I.S. ~

On this 4th day of November in the year Eighteen hundred and sixty two, before me the subscriber, a justice of the peace of the State of Maryland, in, and for Frederick County, personally appeared, Clagett W. Dorey one of the Commissioners named in the foregoing Commission, and made oath on the Holy Evangel of Almighty God, well and faithfully to perform the duties required of them by this Commission, and all duties assigned to them under the 47<sup>th</sup> Article of the Maryland Code of Public General Laws, and that they will proceed in the Execution and Completion of the said Commission without fear, partiality or prejudice, and according to the best of their Judgment and understanding. ~ Also at the same time and place personally appeared Samuel Roof and Isaac Roof, two of the Commissioners named in the foregoing Commission and did solemnly sincerely and true declare and affirm well and faithfully to perform the duties required of them by this Commission, and all duties assigned to them under the 47<sup>th</sup> Article of the Maryland Code of Public General Laws, and that they will proceed in the Execution and Completion of the said Commission without fear, partiality or prejudice and according to the best of their Judgment & understanding. ~

Jas. W. Dugdale

To the Hon. Madison Nelson Circuit Judge of the third judicial Circuit of the State of Maryland, sitting in the Circuit Court for Frederick County in Equity.

The subscriber a majority of the Commissioners appointed by a Commission issued out of the Circuit Court for Frederick County as a Court of Equity in a cause wherein John A. Warner and Susan Warner his wife and others are Complainants and Josephus Groff and Julia Ann Groff his wife and Andrew J. Warner are defendants, do hereby certify that after having taken the oath and the affirmation aforesaid unto said Commission for us to be taken, and after giving notice to the parties of the time and place of meeting by publication of said notice set up at the Court House door, and by publication of said notice in the Republican Citizen a newspaper printed at Frederick and by notices displayed at five prominent places in Frederick County two months prior to the day of meeting.

We did in pursuance of said notice meet at the House of the late Samuel Eury on the land mentioned and described in Exhibit A in said proceedings, on the tenth day of January in the year Eighteen hundred and sixty three, and did enter upon and walk over the said land and did adjudge and determine that the said real Estate in the premises mentioned will not admit of division without loss or injury to the parties interested for the reasons that if said lands were divided into four equal parts, the division would not be equal in value, owing to the improvements being upon but one part and that the lands mentioned in the proceedings contain but one hundred acres more or less and it would be an injury to whole if divided into four or less than four parts and that we conceive it would be to the interest and advantage of all the parties concerned if the lands were sold, and your Commissioners further adjudge and determine that said real Estate is worth forty dollars per acre, ~ all which proceeding and the aforesaid Commission